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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,155	08/28/2003	William A. Goodwin	SNS-010C1	7079
21323	7590	09/16/2005	EXAMINER	
TESTA, HURWITZ & THIBEAULT, LLP HIGH STREET TOWER 125 HIGH STREET BOSTON, MA 02110			BUI, BRYAN	
			ART UNIT	PAPER NUMBER
			2863	

DATE MAILED: 09/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary	Application No. 10/650,155	Applicant(s) GOODWIN ET AL.	
	Examiner Bryan Bui	Art Unit 2863	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 80-96 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 80-90 and 92-96 is/are rejected.
- 7) ☒ Claim(s) 91 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/01/03 201/26104</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

1. The preliminary amendment filed on 8/28/2003 has been entered. Claims 1-79 have been cancelled. Claims 80-96 have been added. Claims 80-96 are pending in the application.
2. During examination, the pending claims must be given the broadest reasonable interpretation. The examiner indicates some terms read in view of equivalent or interpreted functioning in a broadest reasonable in the field of three-dimensional object selecting and detecting.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 80-90 and 92-96 are rejected under 35 U.S.C. 102(e) as being anticipated by Quaid, Arthur. E (US application 60/362368 and equivalent pgpUS20040034282).

With respect to claims 80 and 92, Quaid Arthur.E teaches a method and system for selecting an object in a three dimensional modeling environment (in virtual image space) using input device (haptic device) to determine a position of a cursor in three dimensional modeling environment (included operating a computer and the user input)

and the environment containing one or more virtual objects (paragraph 0111); providing a two-dimensional representation of the cursor and at least one of the virtual objects and selecting a virtual object based on a positional correspondence of the selected object and the cursor in the (two-dimensional **display**) two-dimensional **representation** (paragraphs 0050 and 0111).

With respect to claims 81-83, 93, Quaid Arthur. E teaches wherein the position of the cursor corresponds to a position of an input device in real space; wherein the input is a user-controlled; wherein the input has at least six degrees of freedom; (paragraphs 0043 “the degree of freedom can be added or removed”, 0110, 0120).

With respect to claims 84-86, 94-96, Quaid Arthur. E teaches wherein the input is a haptic device, the haptic is adapted to apply a force to a user when the cursor **coincides** (occupy the same relative position or the same area in space) with the object in two of three dimensions; wherein the force is a friction force (paragraphs 0066, 0074, 0110).

With respect to claims 88-90, Quaid Arthur. E teaches applying a mathematical transformation to determine the positional correspondence; wherein the two-dimensional representation is a two-dimensional view; wherein the two-dimensional view is a selected one of a perspective view and an orthogonal view (paragraphs 0050 and 0103).

5. Claims 80 and 92 are rejected under 35 U.S.C. 102(e) as being anticipated by Baldeweg et al (US 6734847).

With respect to claims 80, 92, Baldeweg et al teach a method and device for selecting an object in a three dimensional modeling environment (in virtual image space) using pointing device to determine a position of a cursor in three dimensional modeling environment, and the environment containing one or more virtual objects (column 1, lines 6-12, column 5, lines 29-39); providing a two-dimensional representation of the cursor and at least one of the virtual objects and selecting a virtual object based on a positional correspondence of the selected (noted that the change in the position of the pointing device in space leads to the displacement of a virtual cursor in the virtual image space) object and the cursor in the (two-dimensional display) two-dimensional representation (column 1, lines 42-47 and column 5, lines 29-39, a block "Display screen for 3D image objects" shows in the figure normally known in view of technology as 2-D display presentation for 3-D image objects).

Allowable Subject Matter

6. Claim 91 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan Bui whose telephone number is 571-272-2271. The examiner can normally be reached on M-Th from 7am-4pm, and Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Barlow can be reached on 571-272-2269. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BB

9/15/2005

BRYAN BUI
PRIMARY EXAMINER

